Deaths in police custody allegedly as a result of torture or shooting continued to be reported from many Indian states including Andhra Pradesh, Bihar, Union Territory of Delhi, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Punjab, Rajasthan, Uttar Pradesh and West Bengal. In Andhra Pradesh, 11 such deaths were reported in the first nine months of the year, three of them during one week in September alone. In one case, a senior naval officer found seven wounds on the body of one of the victims, T. Muralidharan, who the police said had committed suicide in a police station. Amnesty International expressed concern about these deaths but welcomed the state government's decision to hold a judicial inquiry. The outcome of the investigations were not known at the end of 1986. Amnesty International also expressed concern about the deaths of several Sikhs in police custody in New Delhi. Among them was Daljit Singh who died on 24 January in the custody of the New Delhi police. The police stated that he died of high blood pressure, but Amnesty International received evidence that he died of torture. Suraj Singh died on 13 August in the Gandhi Nagar police station, Eastern Delhi. According to the police he hanged himself in the toilet, but relatives alleged he died of beatings in Shakarpur police station. Amnesty International asked for a judicial inquiry in these cases but was unaware of any being instituted. However, in December a magisterial inquiry found that the death of Dayal Singh in a Delhi police station had been the result of torture and recommended that four police officers be charged with murder. In several other such cases police officers were reported to have been charged with murder.

Reports of torture and ill-treatment by the police were received from nearly all Indian states. A number of the victims were members of the scheduled castes and scheduled tribes. For example, tribal leader Shankar Yadu Lokhande died in Narajangaon police station in March, according to the police by hanging, but according to members of the tribe, because of beatings in police custody. There were also repeated reports that tribal women had been raped by local police. In some cases the Central Bureau of Investigation investigated the allegations and was reported to have established that there was evidence of rape. In October the Supreme Court heard the report of a commission it had established which recorded statements by 584 people about rape by police of tribal women in Gujarat. The commission indicted local police and hospital doctors for covering up evidence of rape. In Jammu and Kashmir political prisoners complained of beatings in various jails, but most reported that torture took place during interrogation in police custody.

In 1986, as in previous years, dozens of people were sentenced to death, mainly for murder. In November the Minister for Home

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Affairs stated that 35 people had been executed in the three years ending 1985. In April the Indian Supreme Court confirmed a stay of execution for Daya Singh — who had been arrested in 1965 and sentenced to death for murder in 1978. The Supreme Court confirmed a previous ruling made in 1983 that a person sentenced to death may demand commutation as of right if the sentence has not been carried out within two years.

On 22 January three Sikhs — Satwant Singh, Kehar Singh and Balbir Singh — were sentenced to death on charges of murder and conspiracy to murder the late Prime Minister Indira Gandhi. The trial took place in Delhi's maximum security Tihar Jail. On 3 December the New Delhi High Court dismissed the appeals of the three men who said they would be appealing to the Supreme Court.

Throughout 1986 Amnesty International wrote to the Prime Minister and other government officials reiterating its proposal for an Amnesty International delegation to visit India to discuss the international protection of human rights as well as its human rights concerns in India. However, by the end of 1986 the government had failed to respond.

Indonesia and East Timor

Amnesty International was concerned about the imprisonment of hundreds of political detainees, including prisoners of conscience and possible prisoners of conscience, whom it believed may have been unfairly tried. The prisoners included Muslim activists and government critics in Java, suspected supporters of independence movements in Irian Jaya and East Timor, and people arrested in connection with a coup attempt in 1965, many of whom had been associated with the banned *Partai Komunis Indonesia* (PKI), Indonesian Communist Party. Amnesty International continued to receive reports of torture and ill-treatment of prisoners, often during interrogation immediately following arrest, and of extrajudicial executions, particularly in Irian Jaya. Amnesty International remained concerned about the use of the death penalty. Ten executions, of a Muslim activist and nine former PKI members, were carried out, and Amnesty International knew of 23 prisoners under sentence of death.

On 25 June Amnesty International published a report *Indonesia: Muslim Prisoners of Conscience* which documented the cases of over 100 prisoners detained after a violent demonstration in Tanjung Priok, Jakarta, in September 1984 (see *Amnesty International Report 1985* and *1986*). The report described in detail the cases of 15 prisoners of conscience detained for protesting about the government's handling of the Tanjung Priok incident or for criticizing government policies which they believed violated Islamic teachings. Many prisoners were reportedly ill-treated while held in incommunicado detention after their arrest. In a letter of 19 June to President Suharto, forwarding a copy of the report before publication, Amnesty International expressed concern that the trial of these prisoners might not have been fair. In many cases, the organization noted, access to counsel was limited, the time to prepare a defence was short and considered inadequate by defence lawyers, the right of the defence to call witnesses was restricted, and evidence alleged to have been obtained illegally was accepted in court.

At the end of 1986 Amnesty International was working on behalf of 14 Muslim activist prisoners of conscience, all of whom had been convicted of subversion under Presidential Decree 11/1963, the so-called anti-subversion law. The rights guaranteed to criminal suspects under the country's Criminal Procedure Code, such as limits on pre-trial detention, do not apply to people charged with subversion. Amnesty International urged the government to review the anti-subversion law with a view to similarly protecting the rights of people arrested and detained under it.

Sentences imposed on prisoners of conscience were often heavy. In January Lieutenant General Dharsono, who had signed an open letter calling for a fact-finding commission into the Tanjung Priok incident, was sentenced to 10 years' imprisonment, reduced on appeal in May to seven years. Other prisoners, however, had their sentences increased on appeal by the prosecution. Andi Sukisno, a Muslim student tried in Malang on subversion charges in 1985 (see *Amnesty International Report 1986*) and adopted as a prisoner of conscience in 1986, had his sentence raised from eight to 15 years on appeal to the East Java High Court. Another prisoner of conscience adopted during 1986 was Dr Oesmany Al Hamidy, a 72-year-old disabled professor at an Islamic college in Tanjung Priok. Arrested in September 1984, he was sentenced in March to eight years' imprisonment on subversion charges for having given sermons criticizing alleged official corruption and government policies, particularly a draft law which would require Muslim organizations to accept *Pancasila*, the state ideology, as their sole ideological foundation.

Dozens of Muslim activists accused of subversion were tried during 1986. Amnesty International was investigating the cases of 16 Muslim religious teachers and lecturers arrested in January in Solo, Karanganyar, Boyolali, Surakarta and Klaten in central Java, who were accused of attempting to set up an Islamic state in Indonesia. Their trials began in July. The defendants were members of a network of village-based groups, known as *Usroh*, which, they claimed, was designed to develop closer ties among Muslims through religious study. All 16 denied the charges against them, but all were convicted and sentenced to between five and 11 years' imprisonment. In October, Amnesty International requested detailed information on the charges against these prisoners from the Attorney General and local government officials. By the end of the year no response had been received, and available press reports gave no indication that any evidence was produced during their trials to show that they had used or advocated violence. The trials of other prisoners accused of involvement in *Usroh* groups in Yogyakarta, Karanganyar, Bantul and Brebes in central Java, were still in progress at the end of 1986.

Amnesty International continued to be concerned about reports that suspected supporters of the *Organisasi Papua Merdeka* (OPM), the Free Papua Movement, which had been waging an armed struggle since the mid 1960s to establish an independent state of West Papua in Irian Jaya, were being held without charge or trial in military detention centres in Sorong, Merauke and Jayapura. One prisoner, Nabot Wanma, was reported to have been held since June 1985 and to have been tortured (see *Amnesty International Report 1986*). At the end of 1986, he was reported to be still detained at the military police headquarters in Kloofkamp Bawah, Jayapura. In December Amnesty International wrote to the Minister of Justice expressing concern that these prisoners were not brought before judicial authorities after their arrest and given a fair trial within a reasonable time, in accordance with internationally recognized standards. Several trials of political prisoners in Irian Jaya were reported to have taken place during 1986, including those of seven out of 12 men deported from Papua New Guinea in October 1985 (see *Amnesty International Report 1986*).

In response to inquiries from Amnesty International about the possibility of sending observers to attend trials of political prisoners in Java, Irian Jaya and East Timor, the government stated in December that their attendance at court proceedings would constitute interference in its internal affairs and would not be tolerated.

Amnesty International continued to be concerned about approximately 100 prisoners still in detention after having been convicted of involvement in an attempted coup in 1965. It continued to appeal for

the release of three prisoners who it believed had been accused of involvement solely because of their non-violent activities in the PKI and associated organizations. One was Pudjo Prasetio, who had been a full-time worker for the PKI in Bali. He had been arrested in 1967 but was only brought to trial in 1979, when he was sentenced to life imprisonment. He was held in Grobogan prison, Bali.

In other cases there were prolonged delays in appeal hearings. In October Amnesty International highlighted the case of a "forgotten" prisoner of conscience, Manan Effendi bin Tjokrohardjo, vice-chairman of the PKI for East Kalimantan, who had been arrested in October 1965, a few days after the coup attempt, and sentenced to death in 1967. He lodged an immediate appeal against his sentence, but it was not heard by the high court until April 1982, over 14 years later. The high court stated that it had only received the relevant papers from the district court in January 1982 and then commuted the sentence to life imprisonment.

Torture and ill-treatment by both military and police personnel continued to be reported. In July Amnesty International appealed for an investigation into the death in custody in Jakarta of Muhammad Djabir on 25 January. The day before his death he had told his nephew that he was being beaten to force him to make a statement accusing a former cabinet minister, Haji Mohammad Sanusi, of plotting to assassinate the President. His family claimed to have seen marks of torture on him both when they visited him in prison and when his body was returned to them after his death. Amnesty International was also concerned at reports of the deaths of a number of detainees held for alleged criminal offences in police stations, where their relatives believed they died as a result of ill-treatment. In September it appealed for independent investigations into five such deaths in police custody between June and August.

Amnesty International made public in September reports of the ill-treatment of a number of people who had been briefly detained on suspicion of supporting independence for the South Moluccas. About 30 people were reported to have been arrested following the raising of a South Moluccan flag between Partu and Haria on Saparua island on 25 April. All these detainees were released by the end of May, but many claimed to have been beaten and ill-treated.

Amnesty International was concerned about reports that Indonesian security forces had carried out extrajudicial executions during 1986 in the areas of Kiwirok, Merauke, Sarmi and Paniai in Irian Jaya. Amnesty International urged the Minister of Justice in December to investigate reports that Yunus Firtar, Roby Tanjau and Wilhemus Inday had been killed in custody by members of the Indonesian military.

Reports of torture, arbitrary arrest and unfair trials of political prisoners suspected of supporting the *Frente Revolucionaria de Timor Leste Independente* (Fretilin) continued to be received from the Indonesian-occupied territory of East Timor. People arrested and interrogated by the Indonesian security forces in district and sub-district military commands, such as those in Baucau and Lospalos, appeared to be especially at risk. Amnesty International was also concerned about the fairness of trials of political prisoners in East Timor. Amnesty International learned of 10 further trials which took place in 1986, bringing the total number of prisoners tried to well over 200 since they began in December 1983. As all of the defendants pleaded guilty and none lodged an appeal, Amnesty International was concerned that the trials may not have been fair. The defendants reportedly had no choice of counsel other than a government-appointed defence team.

More than 600 people continued to be held without charge or trial on Atauro island off the coast of East Timor. Although the Indonesian Government referred to these people as "temporarily displaced persons", Amnesty International was concerned that they were being forced to stay on the island as part of a policy to break up suspected Fretilin support networks.

In a statement of its concerns in East Timor before the UN Special Committee on Decolonization on 15 August, Amnesty International noted the failure of the Indonesian Government to conduct investigations into reports of extrajudicial executions or "disappearances" reportedly carried out in previous years by military personnel. Amnesty International stated that it believed the absence of such investigations by the Indonesian authorities increased the likelihood that such grave violations could occur again.

Amnesty International was concerned about the increased use of the death penalty during 1986. Ten executions, all involving political prisoners, were confirmed by the government. On 12 September Maman Kusmayadi, a Muslim activist was executed. He had been convicted of involvement in the storming of a police station in Bandung in 1981, allegedly to obtain weapons for the establishment of an Islamic state. On 2 October Amnesty International wrote to President Suharto expressing concern about the execution and outlining the reasons for its unconditional opposition to the death penalty.

In October the government announced that nine former members of the PKI had been executed in the last week of September and first week of October, on the anniversary of the coup attempt in 1965. All of them had been held under sentence of death for over 15 years. They had all been tried by special military courts which allowed them

no right of appeal to a higher court, in contravention of international standards.

Amnesty International repeatedly appealed for the commutation of all outstanding death sentences. The organization learned of two death sentences imposed during 1986, both for murder. Among those under sentence of death at the end of 1986 were 16 prisoners convicted of involvement in the 1965 coup attempt, three Muslim activists, and seven prisoners convicted of ordinary criminal offences. In November Amnesty International renewed its appeals for the abolition of the death penalty.

Japan

Amnesty International was concerned about the use of the death penalty. It wrote to the government expressing concern about two executions. The names of the prisoners executed were not disclosed but Amnesty International believed that they were Shigeharu Kimura and Reiichi Tokunaga, who had been convicted of murder and robbery in December 1975 in the same trial. They were reportedly executed on 20 May. Amnesty International continued to urge the government to commute all death sentences. At the end of 1986, some 74 prisoners were known to be under sentence of death; they had all been convicted of murder, five of them of politically motivated murders. At least 23 had had their sentences upheld by the Supreme Court and eight had been under sentence of death for between 10 and 36 years. Several had filed appeals for retrial. On 30 May the Shizuoka District Court ordered the retrial of Masao Akahori who had been sentenced to death in May 1958. The court questioned the validity of his confession and other evidence against him.

Kampuchea (Cambodia)

Amnesty International was concerned about human rights violations by the People's Republic of Kampuchea (PRK) authorities who administered most of the country's territory and population with the support of Viet Nam. Several thousand prisoners were held without trial, among them some prisoners of conscience. Amnesty International was also concerned about reports of torture, about unfair trials of political prisoners and about the death penalty. Amnesty International was concerned, too, about human rights violations by the UN-recognized Democratic Kampuchea (DK) authorities, whose three Coalition Government partners continued to wage war within the country and to administer camps along the Thailand-Kampuchea border.

Amnesty International believed that almost all of the several thousand political prisoners held by the PRK authorities were imprisoned without charge or trial, and that among them were some prisoners of conscience. Reports of arbitrary arrest and detention continued. As in previous years, political suspects were reportedly tortured during interrogation and held incommunicado in shackles in dark and dirty cells. Amnesty International received reports that former political opponents of the government, officially termed "misled people", who surrendered to the authorities during 1986, were restricted to camps and held without charge or trial for unspecified periods of "re-education". Only one political trial was officially reported during the year. One of the 10 defendants, all of whom were convicted, was sentenced to death and Amnesty International was concerned that the convicted men may not have been allowed adequate opportunities to defend themselves.

Information obtained by Amnesty International during 1986 corroborated reports that people arrested in previous years for suspected involvement with DK or other opposition activities had been the victims of human rights abuses. The organization received dozens of first-hand testimonies from former political prisoners and over a hundred reports about other individual political prisoners, 88 of whom were believed to be still imprisoned in 1986. These reports contained consistent allegations of torture being inflicted between 1979 and 1985. The organization also interviewed several former PRK police officers and government officials, who told it that in past years political prisoners had been tortured by their colleagues or Vietnamese advisory "experts" working with them. Torture of